

### **REMARKS**

Prior to this amendment, claims 13, 14, 16-27 and 30 were pending. No new claims are added and no claims are canceled. Thus, after entry of this amendment, **claims 13, 14, 16-27 and 30 will still be pending.**

The specification is amended to insert the priority claim. Claims 13 and 25 are amended herein to clarify that the second nucleic acid sequence encodes a PsaA protein or a fragment of a PsaA protein. No new matter has been introduced by these amendments.

### **REJECTION UNDER 35 U.S.C. §112, FIRST PARAGRAPH**

**Claims 13, 16-19 and 25-27** are rejected under 35 U.S.C. §112, first paragraph as allegedly lacking enablement. The Office alleges that while the specification is enabling for lipidated PsaA utilizing a nucleic acid sequence that encodes the whole PsaA protein, it does not reasonably provide enablement for producing whole lipidated PsaA protein utilizing a “fragment thereof.” Applicants traverse this rejection.

Claims 13 and 25 recite, in part, a hybrid nucleic acid molecule comprising a first nucleic acid sequence encoding a signal sequence and a second nucleic acid sequence encoding a mature PsaA protein or a fragment thereof. Claims 16-19, 26 and 27 depend directly or indirectly from either claim 13 or claim 25. It appears that the Office has interpreted these claims to mean that a full-length (“whole”) PsaA protein can be produced using a fragment of a nucleic acid molecule encoding the full-length PsaA protein. However, Applicants submit that it is clear from the claim language that “fragment thereof” refers to a fragment of the PsaA protein, not a fragment of the second nucleic acid. Thus, the second nucleic acid sequence can either encode a mature PsaA protein, or it can encode a fragment of the PsaA protein. Although Applicants believe the claims are clear and fully enabled as written, claims 13 and 25 are amended to read “wherein the second nucleic acid sequence encodes a mature PsaA protein, or a fragment of a mature PsaA protein.”

Accordingly, Applicants submit claims 13, 16-19 and 25-27 are fully enabled by the specification and request withdrawal of this rejection under 35 U.S.C. §112, first paragraph.

## **ALLOWED CLAIMS**

The Office indicates claims 14, 20-24 and 30 are allowed and free of the prior art. Applicants submit claims 13, 16-19 and 25-27 also are in condition for allowance.

## **CONCLUDING STATEMENT**

It is respectfully submitted that the present claims are in a condition for allowance. Should the Examiner have further questions or comments with respect to examination of this case, it is respectfully requested that the Examiner telephone the undersigned so that further examination of this application can be expedited.

Respectfully submitted,

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